**THE HON'BLE SRI JUSTICE B. PRAKASH RAO**
**AND**
**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**W.P.NO. 16317 OF 2002**

Date: 30.10.2006

Govinda Reddy.

... Petitioner

and

The Divisional Railway Manager, South Central Railway.
Secunderabad and four others.

... Respondents.

**THE HON'BLE SRI JUSTICE B. PRAKASH RAO**
**AND**
**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**W.P.NO. 16317 OF 2002**

**ORDER:** (per Hon'ble Sri Justice Ramesh Ranganathan)

While Sri Abhinand Kumar Shavili, learned Counsel for the petitioner would initially seek to make submissions on merits, learned Counsel would fairly submit that the grounds now urged before this Court were not urged earlier before the Tribunal. In view of the law laid down by the Apex Court in **L. Chandrakumar Vs. Union of India**[1] since the Tribunal is a Court of first instance, we deem it appropriate, while setting aside the order of the Tribunal, to grant liberty to the petitioner to raise all such contentions which he has now raised in the writ petition, and such other contentions which he considers necessary, before the Tribunal which shall, thereafter, considers the same in accordance with law and pass appropriate orders as expeditiously as possible, in any event not later than four months from the date of receipt of a copy of this order.

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B. PRAKASH RAO, J

Date: 30-10-2006

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MRKR RAMESH RANGANATHAN, J

[1] AIR 1997 SC 1125